

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL J. WHALON,
Plaintiff

v.

CHRISTY'S OF CAPE COD, LLC
Defendant


FILED
CLERKS OFFICE
2005 MAR 16 P 2:23
C.A. NO. 04-CV-11939 MLW
U.S. DISTRICT COURT
DISTRICT OF MASS

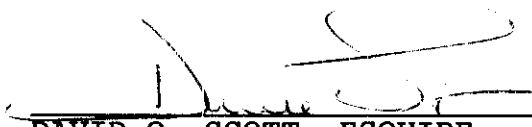
LOCAL RULE 16.1(D)(3) CERTIFICATION

The undersigned Plaintiff, Michael J. Whalon, and legal counsel of record for the Plaintiff, David O. Scott, affirm that they have conferred:

1. With a view to establish a budget for the costs of conducting the full course and various alternative courses of the litigation; and
2. To consider the resolution of the litigation through the use of Alternative Dispute Resolution Programs, such as those outlined in Local Rule 16.4.

Signed this 28 day of February, 2005.


MICHAEL J. WHALON,
Plaintiff


DAVID O. SCOTT, ESQUIRE
Attorney for Plaintiff